IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 3RD APRIL, 2007 / 13TH CHAITHRA, 1930

WP(C).No. 5081 of 2007(E)

PETITIONER:

QUILON MEDICAL TRUST,
REPRESENTED BY ITS SECRETARY A.ABDUL SALAM,
KALLUMTHAZHAM, KILIKOLLOOR, KOLLAM -04,
RESIDING AT PATTATHIL, AYATHIL, KOLLAM.

BY ADV. SRI.P.GOPALAKRISHNAN NAIR
SRI.A.ABDUL KHARIM

RESPONDENTS:

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1. THE LAND REVENUE COMMISSIONER,
PUBLIC OFFICE BUILDINGS, THIRUVANANTHAPURAM.

2. THE REVENUE DIVISIONAL OFFICER,
KOLLAM.

3. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM.

4. K.R.MANOJ,
SECRETARY, SASTHRA SAHITHYA PARISHAT,
159, CURSON NAGAR, KATCHERY P.O., KOLLAM-3.

R4 BY ADV. SRI.P.LEELAKRISHNAN
SRI.SHYAM KRISHNAN
R1 TO R3 BY GOVT. PLEADER SMT.ANU SIVARAMAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (WP(C) NO.5081 OF 2007)

PETITIONER'S EXHIBITS:

Ext.P1: Copy of the Trust Deed dtd.10.8.03.

Ext.P2: Copy of the Govt.Order dtd.29.3.06.

Ext.P3: Copy of the Certificate dtd.27.5.06.

Ext.P4: Copy of the Certificate dtd.3.6.06.

Ext.P5: Copy of the Certificate dtd.14.7.06.

Ext.P6: Copy of the order dtd.19.12.06.

Ext.P7: Copy of the report dtd.10.2.07 of Chartered Engineer.

Ext.P8: Copy of the order dtd.3.2.07.

Ext.P9: Copy of the written statement filed by the petitioner before R1 dtd.12.2.07.

Ext.P10: Copy of I.A. filed by the petitioner before R1 dtd.12.2.07.

Respondents' Exhibit:

Ext.R4(a): Copy of the Govt.Order dtd.13.1.1978 issued by R3.

-True Copy-

P.A. to Judge.

S.SIRI JAGAN, J.

W.P(C) NO.5081 OF 2007 - E

Dated this the 3rd day of April, 2007

J U D G M E N T

The only prayer in this writ petition is as follows:-

> "i. to issue a writ of certiorari or other appropriate writ, direction or order quashing Ext.P8 order and to direct the 1st respondent to consider and dispose of the appeal filed by the 4th respondent in the light of the decision of this Hon'ble Court reported in 2005(3) KLT 1036;"

2. Both the petitioner and the fourth respondent agree that the appeal is pending in which Ext.P8 stay order has been passed. In the above circumstances, it is only proper that the first respondent considers the appeal stated to have been filed by the fourth respondent, expeditiously. Accordingly, there would be a direction to the first respondent to consider the appeal filed by the fourth respondent in which Ext.P8 order has been passed, as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of with the above direction.

Mbs/ **S.SIRI JAGAN, JUDGE**